

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

JANE ROE, individually and on behalf of all
others similarly situated,

Plaintiffs,

v.

LARRY CRAWFORD, et al.,

Defendants.

CIVIL ACTION No. 05-4333-CV-C-DW

**PLAINTIFFS' RESPONSE TO DEFENDANTS' MOTION FOR
EXTENSION IN TIME**

Plaintiffs oppose Defendants' motion for an extension of time of 14 days, up to and including May 29, 2006, in the due date of their motion for summary judgment. In support of their opposition, Plaintiffs state as follows:

1. Plaintiffs have accommodated and consented to Defendants' prior requests for extensions in time, including an extension in time to respond to Plaintiffs' discovery requests and to extend the discovery deadline in order for Defendants to take a third party deposition. (Court Document 36, Court Document 43).
2. As Defendants have already indicated, Plaintiffs' counsel relied upon Defendants' representation that they did not foresee extension of the discovery deadline requiring "an extension in the due date of May 15 for filing of most dispositive motions." Plaintiffs are sympathetic to opposing counsel's full caseload. However, Plaintiffs' counsel likewise have heavy caseloads and have scheduled work and travel plans around the expected

deadlines that flow from the May 15 deadline, as well as other deadlines set forth in the Scheduling and Trial Orders which would likely be impacted by delay in summary judgment.

3. Delaying the filing of motions for summary judgment by two weeks will extend the briefing of opposition and reply briefs into mid-July. This will likewise necessarily delay the Court's ruling on summary judgment. Further, it will prejudice the ability of Plaintiffs to prepare for and meet the pretrial deadlines set by the Court in its Trial Order of December 13, 2005. For example, the stipulation of uncontroverted facts is due on or before June 19, 2006 and most other pretrial filings are due on or before July 17. (Trial Order, Court Document 30). However, if Defendants file summary judgment on May 29, opposition to the summary judgment motions would not be due until June 29, 2006, and replies not until July 14th.

4. Plaintiffs have diligently met all deadlines and wish to resolve this case as efficiently and expeditiously as possible. Thus, pursuant to the Court's Scheduling Order, Plaintiffs will be ready to file their Motion for Summary Judgment on May 15, 2006, unless the Court orders otherwise. However, should this Court grant Defendants' request for an extension in time, in the interest of fairness, Plaintiffs' request permission to file their motion for summary judgment simultaneously with Defendants' motion, and further request that the Court temporarily suspend or postpone the trial date and pretrial filing deadlines until a time the Court deems appropriate.

Respectfully submitted,

/s/Diana Kasdan
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on the 11 of May, 2006, she electronically filed a copy of the foregoing with the Clerk of the Court using the CM/ECF system for service on the following:

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